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ORIGINALLY FILED

PATENT
Attorney Docket No. A-70036/RMS/DLR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kinsella, Todd *et al.*

Serial No.: 09/712,821

Filed: 11/13/2000

For: *Methods and Compositions for
Screening Using Diphtheria Toxin
Constructs*

) Examiner: Tizio, Steven

) Group Art Unit: 1627

) CERTIFICATE OF MAILING

) I hereby certify that this correspondence, including listed
) enclosures, is being deposited with the United States Postal
) Service as First Class Mail in an envelope addressed to:
) Assistant Commissioner for Patents, BOX NON-FEE
) AMENDMENT, Washington, DC 20231 on:

) Dated: April 30, 2002

) Signed: *John Valler*

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
BOX NON-FEE AMENDMENT
Washington, DC 20231

Sir:

This is submitted further to the restriction election mailed 26 March, 2002 in the above mentioned case. Applicants request that the amendment be entered prior to examination of the claims.

It is believed that no fees are due at this time. However, should the Commissioner determine otherwise, he is authorized to charge any additional fees or other relief which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-70036/RMS/DLR).

IN THE CLAIMS:

Please cancel claims 1-6 without prejudice or disclaimer and enter the following amended claim set into the above identified application:

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AUG 21 2002

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